

## Nationwide Childhood Obesity Epidemic Spawns Norton Bill for FTC Regulations - June 29, 2006

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FTC Regulation of Junk Food Ads That Target Black Kids  
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Washington, DC—Congresswoman Eleanor Holmes Norton (D-DC) today introduced the Children's Health FTC Authority Restoration Act, a bill to restore the Federal Trade Commission's (FTC) authority to regulate marketing to children under the age of 18 because junk food advertising is "urging our kids to eat themselves into bad health." Norton's bill seeks to help eliminate an epidemic of overweight and obesity that studies link to pervasive junk food advertising to children. A similar provision has been introduced as part of a larger bill in the Senate, and Former President Clinton is taking a leading and visible role in efforts to control the rapid increase in overweight and obesity in children. "My bill comes at a time when there has been an extraordinary growth in new food products targeted to children, from just 52 new product introductions in 1994 to close to 500 just last year, according to one medical study, most of them loaded with sugar, fat and calories," Norton said. "These ads are aimed directly at all the nation's youngest kids because they lack the mental development to choose to disregard them. Most cynical and outrageous, however, is the overwhelmingly specific aim of these ads to African American children. African American public officials and communities throughout the nation should be outraged and should translate that outrage into action of their own." She said that restoring FTC authority to regulate marketing to children is an essential and long overdue step Congress must take to promote responsible, healthy food choices and lifestyles to our youth.

Norton decried the expiration this year of her VERB legislation, a successful program she cosponsored several years ago that used print, broadcast and internet advertising to promote physical activity among children. Norton has successfully fought for five years to keep the program alive based on studies that documented its success in "turning TV on its head, using the media to encourage activity and exercise, to alert parents and to get their children active." However, the President put no funding for VERB in his budget and Congress let it lapse with this year's appropriation. "Congress has failed to give serious and sustained attention to the urgent health issue of overweight and obesity in children and adults, despite definitive studies that show that childhood obesity has become one of the nation's most serious health issues," Norton said, "with an ominous surge in debilitating diseases we are seeing for the first time in kids."

The Centers for Disease Control (CDC) reports that overweight among children has tripled in the last 40 years and that Type 2 diabetes, considered an adult disease, is now widespread in children. "The health care system is already paying the price and the consequences to kids will follow them throughout their lives. These kids have a 70 percent chance of being overweight adults, with the health conditions that follow, such as high blood pressure, asthma and heart disease," Norton said.

Many of these children are obese in part because they watch so much television, on the average, more than 2 hours a day. Norton said that the target audience for TV junk food ads is not only children but children of color. A survey found that 66 percent of the ads on Black Entertainment Television (BET) were for fast food commercials compared to half that percentage on the Warner Brothers Television Network (WB) and none at all on the Disney Channel; and 82 percent of BET ads were for soda, while the WB had 11 percent and the Disney Channel accounted for only 6 percent of soda advertisements. She said this targeted advertising contributes to poor nutrition in the District where the lowest income wards attract corner convenience stores that feature unhealthy, fatty foods in abundance, but do not provide foods of significant nutritional value that assist in the intellectual and physical growth and development of children. "There is a wealth of evidence that media marketing to children can be remarkably effective to their benefit as well as to their detriment," Norton said.

Under current law, the Children's Television Act of 1990, advertising during children's programming is restricted to no more than 10 ½ minutes per hour on the weekends, and 12 minutes per hour on the weekdays. However, these "restrictions" simply adopted the already established industry norm. In 1978, the FTC recommended banning television advertising to children under the age of eight because of the persuasive, unfair or deceptive intent of some advertising on children still developing their mental capacity. However, an industry lawsuit against the FTC prompted Congress to strip the agency of its authority to issue industry-wide regulations to stop unfair advertising practices. "Now, in addition to serious developmental issues, the nation has a very serious health issue on our collective hands," Norton said.